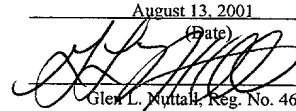


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Yong Hua Zhu et al.	)	Group Art Unit: Unknown
Appl. No.	:	Unknown	)	
Filed	:	Herewith	)	I hereby certify that this correspondence and all
For	:	TISSUE OPENING LOCATOR	)	marked attachments are being deposited with
Examiner	:	Unknown	)	the United States Postal Service as first-class
			)	mail in an envelope addressed to. Assistant
			)	Commissioner for Patents, Washington, D.C.
			)	20231, on
			)	August 13, 2001
			)	(Date)
			)	
			)	Glen L. Muttah, Reg. No. 46,188

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to examining the above-captioned application, please enter the following amendments:

IN THE SPECIFICATION:

Please amend the paragraph beginning on page 1, line 4 to read as follows:

This application is a divisional of U.S. Application Serial No. 09/325,982, filed June 4, 1999, which is a continuation-in-part of U.S. Application Serial No. 09/092,282, filed June 5, 1998, which is a continuation-in-part of U.S. Application Serial No. 08/984,757, filed December 4, 1997, which is a continuation-in-part of U.S. Application Serial No. 08/943,369, filed October 3, 1997, which is a continuation-in-part of U.S. Application Serial No. 08/764,611, filed December 5, 1996, which claims the benefit of U.S. Provisional Application Serial No. 60/009,643, filed December 7, 1995.

IN THE CLAIMS:

Please cancel Claims 1-26 without prejudice.

Please add the following new claims.

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27. (New) A device for precisely locating a wound in a blood vessel, comprising:  
an elongate tube having a proximal end, a distal end, and an elongate lumen, the tube being configured to slidably accommodate a guidewire therewithin; and  
at least two indicator holes through an outer wall of the tube and communicating with the lumen, a distance between the distal end and each of the indicator holes being substantially the same.

28. (New) The device of Claim 27, wherein a guide point is defined on the tube proximal of the indicator holes a distance at least equal to a thickness of a blood vessel wall.

29. (New) The device of Claim 28, wherein the distance is about .5 - 2 mm.

30. (New) The device of Claim 28, wherein the distance is slightly larger than a thickness of a human femoral artery wall.

31. (New) The device of Claim 28 additionally comprising a source of suction communicating with the lumen.

32. (New) The device of Claim 31, wherein the tube comprises a substantially transparent portion configured to enable a clinician to identify fluid being sucked through the lumen.

33. (New) The device of Claim 31 additionally comprising a retractor having at least two elongate retractor members, each of the members having a distal end.

34. (New) The device of Claim 33, wherein the retractor members are releasably mounted onto the tube so that the distal ends of the retractor members are positioned at the guide point.

35. (New) The device of Claim 27, wherein a main body of the elongate tube is defined proximal the indicator holes, and the tube tapers from the distal end to a point generally adjacent the indicator holes so that a raised portion is formed generally around the indicator holes, the tube having a greater diameter in the raised portion than in the main body.

36. (New) The device of Claim 35, wherein a guide point is defined on the tube proximal of the indicator holes a distance at least equal to a thickness of a blood vessel wall, and the guide point is disposed proximal of a proximal end of the raised portion.

37. (New) The device of Claim 27, wherein the lumen concentrically surrounds a guidewire lumen, the guidewire lumen communicating with a distal opening formed along a

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longitudinal axis of the tube and being adapted to slidably accommodate a guidewire threaded therethrough.

38. (New) A device for locating a vascular wound, comprising:

a retractor comprising two elongate members adapted to move relative to each other between open and closed positions, each member having a distal end and a proximal end, and the members are adapted to define a longitudinal channel therebetween when in the closed position; and

a catheter comprising:

a lumen connected to a source of negative pressure;

an opening formed through an outer wall of the catheter and communicating with the lumen; and

a guide point defined on an outer surface of the catheter proximal of the opening, a longitudinal distance between the opening and the guide point being at least the same as the thickness of a vascular vessel wall;

wherein the distal ends of the retractor members are positioned at or adjacent the guide point.

39. (New) A device as in Claim 38, wherein the guide point comprises a notch formed in the catheter.

40. (New) A device as in Claim 38, wherein the catheter has a distal opening and a proximal opening, and the catheter is adapted to slidably receive a guidewire through the distal and proximal openings.

41. (New) A device as in Claim 38, wherein the catheter comprises a first lumen and a second lumen, the first lumen being adapted to slidably accommodate a guidewire therethrough, the second lumen concentrically surrounding the first lumen, communicating with the opening, and being connected to the source of negative pressure.

42. (New) A device as in Claim 41, wherein the longitudinal distance between the guide point and the opening is slightly greater than a wall thickness of a human femoral artery.

43. (New) A device as in Claim 38, wherein the distance is between about 0.5-2 mm.

44. (New) A device as in Claim 43 additionally comprising a raised portion of the catheter surrounding the opening, the catheter having a greater diameter in the raised portion than in adjoining portions of the catheter.

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45. (New) A device as in Claim 44, wherein the guide point is positioned proximal of a proximal end of the raised portion.

46. (New) A device as in Claim 45, wherein the guide point is about .5-1.5 mm proximal the proximal end of the raised portion.

47. (New) A device as in Claim 43 further comprising a second opening through the catheter outer wall, the second opening located substantially the same distance from the catheter distal end as the first opening.

48. (New) A device as in Claim 43, wherein the retractor additionally comprises a handle portion operatively connected to the movable members.

49. (New) A device as in Claim 48, wherein the channel extends the entire length of the movable members.

50. (New) A device as in Claim 48, wherein the handle portion comprises two handles and a locking mechanism, and the handles are operatively connected at a hinge.

51. (New) A device as in Claim 50, wherein the handles and hinge are adapted so that squeezing the handles together moves the movable retractor members apart from each other.

52. (New) A device as in Claim 51, wherein the handles are biased apart from each other.

53. (New) A device as in Claim 50, wherein the locking mechanism comprises a toothed arcuate stop member extending from a first handle and a release member extending from a second handle, and the release member includes a stop adapted to releasably engage the stop member teeth.

#### **REMARKS**

The specific changes to the specification and the amended claims are shown on a separate set of pages attached hereto and entitled **VERSION WITH MARKINGS TO SHOW CHANGES MADE**, which follows the signature page of this Amendment.

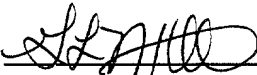
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The above amendment to the specification clarifies the priority claim. The above new claims more fully define certain aspects of Applicants' invention. Applicants retain the right to further prosecute the canceled claims in related applications.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 8/13/01

By:   
Glen L. Nuttall  
Registration No. 46,188  
Attorney of Record  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660

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Filed : Herewith

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

The specific changes to the specification and the amended claims are shown on these pages. Insertions are shown double-underlined while deletions are ~~struck through~~.

**IN THE SPECIFICATION:**

The specification has been amended as follows:

In the paragraph beginning on page 1, line 4:

This application is a divisional of U.S. Application Serial No. 09/325,982, filed June 4, 1999, which is a continuation-in-part of U.S. Application Serial No. 09/092,282, filed June 5, 1998, which is a continuation-in-part of U.S. Application Serial No. 08/984,757, filed December 4, 1997, which is a continuation-in-part of U.S. Application Serial No. 08/943,369, filed October 3, 1997, which is a continuation-in-part of U.S. Application Serial No. 08/764,611, filed December 5, 1996, which claims the benefit of U.S. Provisional Application Serial No. 60/009,643, filed December 7, 1995.

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